



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Pre Application of: James B. Copelan  
Serial No.: 09/729,888  
Filed: 12/04/00  
For: A Pre-Surgical Safety, Warning, Notification, and/or Alerting  
Device

## PRELIMINARY AMENDMENT UNDER 37 CFR 1.115

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Please amend this Application as follows:

### In the Claims:

Kindly add the following claims:

9. A pre-surgical alerting device comprising:
  - a. a strip suitable for placing on a body segment which is not to be affected by a surgical procedure, said strip having a superior side and inferior side,
  - b. visually perceivable indicator on said superior side, and
  - c. temporary attachment means for temporarily attaching said inferior side to the body segment.

10. A pre-surgical alerting device according to claim 1, wherein said attachment

means comprises an adhesive.

11. A pre-surgical alerting device according to claim 1, wherein said strip is perforated to allow oxygen to diffuse to skin to which the strip is attached.

12. A pre-surgical alerting device according to claim 1, wherein said visually perceivable indicator comprises the words "No Cut".

13. A pre-surgical alerting device according to claim 2, further comprising peelable backing affixed to said inferior side to cover said adhesive when said device is not in use.

14. A pre-surgical alerting device according to claim 1, further comprising a companion label suitable for detaching from said strip and for attaching to a patient's medical chart to indicate use of the alerting device.

15. A pre-surgical alerting method, comprising the steps of:

- a. applying a visually perceivable indicator to a superior side of a strip,
- b. topically applying an inferior side of said strip to a body segment which is not to be affected by a surgical procedure, and
- c. temporarily affixing said strip to said body segment.

## REMARKS

Claims 9 - 15 have been added. Claims 1 - 15 remain in the application.

Support for claims 9 - 15 is found throughout the specification and drawing. No new matter has been added.

In view of the above, it is submitted that the claims are in condition for allowance.  
Allowance of claims 1 - 15 at an early date is solicited.

Respectfully submitted,



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